

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 06-10-24**

Date Published: October 19, 2006
For Work Week Commencing: October 23, 2006
Commission Meeting: October 24, 2006, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Citizens Telecommunications N2006.10.145 (Scott)

On October 3, 2006 Citizens filed tariff pages requesting to introduce a new residential bundle called Frontier Digital Phone Service. This bundle will be available to all residential customers including those customers receiving a

Low Income Assistance Program discount. Citizens is requesting an effective date of November 3, 2006. Probable Motion: Approve Citizens' Frontier Digital Phone Service in N2006.10.145.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. **10/23/06 9:00 a.m.** – Mountain Water Company – Judicial review of Order Nos. 6644c and 6644d; discussion of settlement proposal – Discuss a proposal from Mountain Water to settle judicial review CDV-2006-389. (10/23/06)

10/24/06 9:30 a.m.

2. D2006.8.129 – Buzz Telecom Cramming Complaint - Seek Commission approval for amendment of complainants. (10/24/06)
3. N2006.6.81 – Qwest Corporation – Residence and business customer incentive program – Rule on OneEighty Communications' objection to Qwest's initial statement and motion to reject Qwest's petition. (10/24/06)
4. D2006.3.39 – Qwest Corporation – Objections to staff data requests PSC-032, PSC-035 and PSC-045 – Rule on objections. (10/24/06)
5. D2005.6.105 – PSC Initiated – Qwest use of federal universal service funds – Discussion, direction and action on recent discovery responses, procedural options, further proceedings, and any other matters necessary. (10/24/06)
6. D2006.4.54 – Montana-Dakota Utilities Co. – 2006 annual gas tracker - Discussion, direction and action on motion for protective order, other matters as necessary. (10/24/06)
7. PSC – Annual Btu monitoring contract review – Discussion, direction and action on Btu monitoring contracts. (10/24/06)
8. D2006.6.82 – NorthWestern Corporation and Babcock & Brown Infrastructure Limited, et al. – Joint Application for Approval of the Sale and Transfer of NorthWestern Corporation Pursuant to a Merger Agreement – Placeholder – If necessary, update the Commission on responses to data requests, discuss responses and efforts to resolve

- issues, and receive direction to staff regarding responses and scheduling.
(10/24/06)
9. Legislation – Consider proposed bill to repeal tax tracker law. (10/24/06)
 10. Bollinger Room and audio system – Discuss possible enhancements, upgrades and changes to the Bollinger Room and audio system.
(10/24/06)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Corporation N2006.10.147 (Scott)

On October 12, 2006 Qwest Corporation (Qwest) filed for Commission approval a Multiple-State Agreement (MSA) between Qwest and Sears Roebuck (Sears). Qwest is filing the MSA with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. Also pursuant to the NCA, Qwest filed proprietary cost information. The MSA is the result of Qwest renewing a contract with Sears to provide telecommunications services within Qwest's incumbent territory which include various locations in Montana. The services purchased by Sears are available from other competitive carriers in addition to Qwest.

2. Citizens Telecommunications N2006.10.150 (Scott)

On October 13, 2006, Citizens filed Advice Letter No. MT-06-10 Special Promotion. In this filing Citizens is requesting to introduce a special promotion beginning November 13, 2006, and continuing through February 10, 2007. Eligible customers that accept this offer and order Frontier Choicessm Tier Bundle will receive waivers of all installation charges (as specified in tariff Section III, Nonrecurring Charges) and local service charges (as specified in tariff Section III, Bundled Services) for the first month of service. If the customer terminates the Tier Bundle before the end of the 12-month period, an early termination fee will apply. If the customers are not satisfied with the Tier Bundle, they may cancel the service within the first 30 days of the service with no termination fee.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. Hot Springs Telephone Co. N2006.4.48 (Tim)

On April 4, 2006, Hot Springs Telephone Co. (HSTC) filed a Motion for Term Protective Order in the above docket. The requested Term Protective Order would govern disclosure of cost, traffic, and other proprietary information, including Schedule 27 of its annual report. HSTC argues the information for which protection is requested is constitutionally protected confidential business information and trade secret.

2. Ronan Telephone Co. N2006.4.47 (Tim)

On April 4, 2006, Ronan Telephone Co. (RTC) filed a Motion for Term Protective Order in the above docket. The requested Term Protective Order would govern disclosure of cost, traffic, and other proprietary information, including Schedule 27 of its annual report. RTC argues the information for which protection is requested is constitutionally protected confidential business information and trade secret.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2006.10.147 – Qwest Corporation – Amended Multi-State Agreement between Qwest Corporation and Sears, Roebuck and Co.

D2006.10.148 – Black Hills Power – Application for Authority to Establish a Quarterly Fuel Rate Rider

N2006.10.149 – PSC Initiated – In the Matter of Access to MISO Confidential Information

N2006.10.150 – Citizens Telecommunications Company of Montana dba Frontier Communications of Montana – Advice Letter No. MT-06-10, Special Promotion